

## Burlington Development Review Board

Department of Permitting & Inspections  
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AJ LaRosa  
Caitlin Halpert  
Geoff Hand  
Brooks McArthur  
Brad Rabinowitz  
Leo Sprinzen  
Chase Taylor  
Sean McKenzie, (Alternate)  
Vacant, (Alternate)



### BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday, May 16, 2023, 5:00 PM MINUTES

#### *In Person (at 645 Pine Street) Meeting*

**Board Members Present:** AJ LaRosa, Caitlin Halpert, Geoff Hand, Brooks McArthur, Brad Rabinowitz, Leo Sprinzen, and Chase Taylor

**Board Members Absent:** Sean McKenzie

**Staff Members Present:** Scott Gustin, Mary O'Neil, and Joseph Cava

- I. Agenda
- II. Communications
- III. Minutes
- IV. Public Hearing

#### 1. ZAP-23-4; 71-73 Peru Street (RH, Ward 3C) Damon Lane

Appeal of zoning administrative denial (ZPW-23-18) to replace wooden windows with vinyl casement windows (Request deferral to 5/16/23). (Project Manager, Scott Gustin)

Damon Lane, owner, present

AJ LaRosa: For the record, can you please introduce yourself?

Damon Lane: Yes, I'm Damon Lane, applicant and owner.

AJ LaRosa: This is an appeal, so the City will present the facts of the denial, and then we will hear from the appellant. Scott, can you tell us about this project?

Scott Gustin: Yes, the applicant applied to replace wooden replacement windows with vinyl. This structure is listed on the State Registry of Historical Places. Since the 2008 adoption of the Comprehensive Development Ordinance, 14 applications for installation of vinyl windows in historic buildings have been denied, including two appeals to the Development Review Board that affirmed the denials. We have a consistent track record as to handling vinyl as a substitute replacement material on historically listed structures.

Caitlin Halpert: For clarification, fiberglass is an acceptable replacement material?

Scott Gustin: Yes, wood, wood clad, and fiberglass are all acceptable substitute replacement materials.

Mary O'Neil: Historic preservation policy has adopted the use of these substitute materials to replicate the appearance of wooden windows.

Caitlin Halpert: Are wood replacements acceptable?

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Scott Gustin: Yes, but the replacement windows proposed in this application are not considered an acceptable substitute.

Brad Rabinowitz: There are vinyl windows present on the existing building. Can you explain this?

Scott Gustin: Yes, there is a vinyl window that was added to the structure that was not a previously existing window opening. This supports the mission of differentiating between what is original and what is new.

Geoff Hand: Can you please expand on the criteria for replacement windows?

Scott Gustin: The basis of review for proposed replacements is integrity of original building materials, finishes, and durability.

AJ LaRosa: Hearing no additional questions, we'll open it up to the appellant. Do you have questions regarding what was outlined in the staff report?

Damon Lane: I would agree that the average vinyl window replacement is cheap with a limited warranty, but the proposed windows have a thirty-year guarantee with a high energy performance. The cost dramatically increases to switch to a wood clad window from the proposed vinyl.

Leo Sprinzen: Can you provide the board with additional information about the quality of the proposed windows as part of our deliberations?

Damon Lane: The window materials were submitted with the original application. The proposed windows mimic the dividing rails to retain the historic appearance.

AJ LaRosa: Are there any additional questions from the board? Are there any from the public? Hearing none, we'll close the public hearing on this item and will deliberate during executive session.

## **V. Sketch Plan Review**

### **1. ZSP-23-3; 300 Flynn Avenue (NMU, Ward 5S) Howard Center for Human Services, Inc. / Joe Weith**

Sketch Plan Review of proposed demolition of existing 24,000 sq. ft. building to construct a new 51,000 sq. ft. building for mental health crisis services. (Project Manager, Mary O'Neil)  
Joe Weith, Sam Beall, Sandy McGuire, Kevin Worden, and Charlie Giannoni: Sworn in.

AJ LaRosa: You have a well thought out and detailed project, but could you expand on what is being proposed?

Joe Weith: I'll defer to Sandy to describe the project.

Sandy McGuire: The site is a great location for accessibility to provide these community services. The proposed improvements would consolidate services offered throughout the City to a single location.

Brad Rabinowitz: What will you do for operations while the new building is being constructed?

Sandy McGuire: Outpatient services will shift to a remote platform while development commences.

Kevin Worden: The proposed layout creates parking improvements both outside and underneath the proposed building. The improvements would make pedestrian access safer. The goal was not to shift

the building towards the existing brook which is a protected wetland. The site is well shaded and minimal tree removal is proposed to retain this. Water will flow inward towards a central water collection system where it will be redistributed.

Sam Beall: We are working with Burlington Electrical Department (BED) to move and replace the existing transformer.

AJ LaRosa: There is pushback from neighboring residents. Can you expand on the services that this medical office facility will provide and their impacts on traffic generation?

Kevin Worden: The existing use as a medical office/clinic will be capped by its existing use providing mental health services. The recommended use to include a doctor's or dentist's office was not congruent with what is being proposed.

AJ LaRosa: So they'll still be a curb cut regulating traffic?

Sam Beall: Yes.

AJ LaRosa: Particularly, we're looking towards street activation onto Pine Street from Flynn Avenue.

Sam Beall: Extensive plantings are proposed to meet shading requirements to conceal the parking lot and ensure safe conditions for clinical staff and patients.

Leo Sprinzen: Can you outline the protrusion to the wetland buffer?

Kevin Worden: The proposal continues draining inward towards the center of the property.

Brad Rabinowitz: The entrance is disappointing from a pedestrian access standpoint.

Sam Beall: The entrance is arranged this way to afford privacy for patients. The building materials were chosen based upon the existing building materials in this neighborhood. Glass panels are also proposed for light shielding.

AJ LaRosa: Can staff provide feedback on the rooftop terrace?

Mary O'Neil: It cannot be habitable. Rooftop amenities like this are only exempt from height limitations if they are not habitable.

Leo Sprinzen: Can you highlight and expand on the entrance along Pine Street as the building's primary entrance façade?

Sam Beall: Yes, the building projects creating a courtyard behind the Pine Street entrance.

Sandy McGuire: In regard to the entrance, we value the discretion and privacy of our clients which is why the building is oriented as proposed.

AJ LaRosa: Is the multi-purpose space going to be a separate commercial business, or will it be utilized by the Howard Center?

Sam Beall: It would be used by the Howard Center for private events.

Geoff Hand: Can you explain the striping shown on the first floor?

Sam Beall: The striping is vertical copper siding that shields the parking beneath the building.

Geoff Hand: What is beneath the floating bridge?

Sam Beall: Tandem parking for staff members.

AJ LaRosa: In the event of emergency, does the floating bridge meet the height requirements for emergency service vehicles?

Sam Beall: Yes.

Brad Rabinowitz: Are the copper panels true bent copper, or is it copper clad siding?

Sam Beall: We'd like to use real copper, but understand this may be a cost prohibition. As part of a height variance, can you notify us of the building's proposed height with the existing ordinance?

AJ LaRosa: We don't have the authority to approve this because this is sketch plan. It is outside the scope of this application's authority.

Mary O'Neil: It is important to note that the corner lot is a discrete parcel and is not part of this project.

Kevin Worden: We'd like to receive notification on whether a traffic study would be required for this project.

AJ LaRosa: A traffic study may not necessarily be required, but we'll need you to defend this project if a traffic study is not completed and issues arise.

Brad Rabinowitz: What is the proposal for street trees?

Sam Beall: Historically, there was never a sidewalk in this area, and telephone poles interfere where trees could be planted. At this time, the proposal is for smaller vegetation.

AJ LaRosa: This was a nice presentation.

Charlie Giannoni: Did this project go before the Ward 5 Neighborhood Planning Assembly?

Sam Beall: Yes, it was on the December agenda.

AJ LaRosa: Hearing no additional comments or questions, I move we close sketch plan review.

## **VI. Other Business**

### **1. Standard permit conditions revision**

AJ LaRosa offered comments as to the proposed standard permit condition revisions. They will be updated to reflect those comments prior to Board action.

## **VII. Adjournment**

Hearing closed at 6:05 PM.

Plans may be viewed upon request by contacting the Department of Permitting & Inspections between the hours of 8:00 a.m. and 4:30 p.m. Participation in the DRB proceeding is a prerequisite to the right to take any subsequent appeal. Please note that ANYTHING submitted to the Zoning office is considered public and cannot be kept confidential. This may not be the final order in

which items will be heard. Please view final Agenda, at [www.burlingtonvt.gov/dpi/drb/agendas](http://www.burlingtonvt.gov/dpi/drb/agendas) or the office notice board, one week before the hearing for the order in which items will be heard.

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